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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/643,232	08/18/2003	Jens Garner	442-194	3305
7590	08/22/2006		EXAMINER	
Charles R. Hoffmann HOFFMANN & BARON, LLP. 6900 Jericho Turnpike Syosset, NY 11791			RUTLAND WALLIS, MICHAEL	
			ART UNIT	PAPER NUMBER
			2835	

DATE MAILED: 08/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/643,232	GARNER ET AL.
	Examiner	Art Unit
	Michael Rutland-Wallis	2835

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 13 July 2006.

2a) This action is FINAL. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-12 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-12 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on 21 February 2006 is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some \* c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 02/21/2006.

4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.

5) Notice of Informal Patent Application (PTO-152)

6) Other: \_\_\_\_\_.

## DETAILED ACTION

### *Response to Arguments*

Applicant's arguments filed 07/13/2006 have been fully considered but they are not persuasive.

Applicants allege the limitation of a plurality of valves in the valve arrangement distinguishes the claimed invention from the cited prior art (Stoll et al.). The system and arrangement of Stoll comprises a modular pneumatic system. Stoll teaches the a module referred to as a switching valve module interrupts the air flowing through the system though a valve, i.e. a shut-off valve as applicant points out in at least the second page of the remarks. Applicant's correctly point out this is the only valve in the switching module (11) which shuts off the air to the system, however incorrectly concludes there is no teaching in Stoll to include on the air serving units valves that would control actuators (valve arrangement including a plurality of valves).

Stoll teaches in column 3 lines 12-25 each module in the system preferably contains the components necessary for the module to perform its respective function are provided. Stoll lists several components generally known those skilled in the art such as electrical mating plugs, actuators and sensors. Stoll then points out actuators for example valves, heating means, pressure or rate flow controllers, which are controlled by the central unit.

The citation of the switching module item 11 and 11a which particularly cites an valve and element number item 20 associated with that module performs its function of interrupting the air through the system. The other/additional modules and subscriber stations of Stoll would require the necessary actuators, regulators and plugs to perform their respective function as well, for example module 13 contains a drain valve item 51 which may be automatically controlled. Therefore Stoll et al. teaches a valve arrangement including a plurality of valves.

In view of the above the rejection is deemed proper and hence is maintained.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-7 and 9-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Stoll (U.S. Pat. No. 6,169,338)

With respect to claims 1 and 12 Stoll teaches a pneumatic arrangement comprising a plurality of servicing modules (items 10 11 and 13) for the preparation of compressed air, which are arranged on a common bus system (item 42 bus line), and a control module (item 10 monitoring module controls and monitors) connected with the bus system for monitoring functions and for the servicing modules, wherein a valve

arrangement (item 20 and 51 for example valves associated with each module to perform their respective function) is also connected with such common bus system, the control module (Stoll teaches the monitoring unit monitors the valves of the switching and may also be used in control or regulation) being also designed for the implementation of monitoring functions for the valves of the valve arrangement together with the servicing modules and the valve arrangement constitutes a subassembly (module 11 switching valve module is a separate module and assembly).

With respect to claim 2 Stoll teaches the valves and the servicing modules are arranged in a row on the common bus system (Fig. 3 or 4).

With respect to claim 3 Stoll teaches the bus system is designed in the form of a bus conductor bar (item 42 bus line bar), which preferably comprises individual bar elements able to be plugged or attached together, the modules and the valve arrangement being able to be arranged in a row (see fig. 1) with the bus conductor bar.

With respect to claim 4 Stoll teaches wherein the control module is integrated in one of the servicing modules or is arranged as a separate module on the bus system or on the valve arrangement (see arrangement Fig. 2).

With respect to claim 5 Stoll teaches the control module is arranged between the valve arrangement and the servicing modules (see arrangement Fig. 2).

With respect to claim 6 Stoll teaches an electrical and/or pneumatic adapter module is arranged between the valve arrangement and the servicing modules on the bus system.

With respect to claim 7 Stoll teaches the control module possesses a field bus interface for an external bus system (column 5 Stoll teaches the addition of other modules to the bus).

With respect to claim 9 Stoll teaches the servicing modules are partly provided with sensors (the control module may control and monitor the pressure column 5 lines 5-13), more particularly with pressure sensors, whose output signals can be transmitted by way of the bus system to the control module.

With respect to claim 10 Stoll teaches the control module is provided with a monitoring means for the valve arrangement and the servicing modules, such means being more especially adapted to be effective for more than one system.

With respect to claim 11 Stoll teaches comprising optical indicating means (display), such means serving more especially for diagnostic messages.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Stoll (U.S. Pat. No. 6,169,338) in view of Nagai et al. (U.S. Pat. No. 5,884,664)

With respect to claim 8 Stoll teaches a display (item 24) is integrated in the control module or as a separate component. Stoll does not teach the use of wireless communication system. Nagai teaches pneumatic control system where an interface system between a control and an outside apparatus is done through wireless communication. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Stoll to use wireless transmission as a means to interface outside control module in order to have a remote control terminal.

***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn D. Feild can be reached on 571-272-2092. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MRW



LYNN FEILD  
SUPERVISORY PATENT EXAMINER